

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1508

IN THE MATTER OF:

Served February 27, 1976

Application of D. C. TRANSIT SYSTEM,)
INC., for Temporary Authority)

Application No. 914

By Application No. 914, filed February 10, 1976, D. C. Transit System, Inc. (D. C. Transit) seeks temporary authority pursuant to Title II, Article XII, Section 4(d)(3) of the Compact to perform airport transfers, train transfers, group charter lectured service, group charter non-lectured service, and group and individual race track service. D. C. Transit proposes to transport passengers, together with their baggage, over irregular routes, between points within the Metropolitan District.

The proposed airport transfers would be operated one-way, over irregular routes (A) from points in the District of Columbia to Washington National Airport (National) and Dulles International Airport (Dulles) and from said airports to points in the District of Columbia; (B) from points in Montgomery County, Maryland, and that portion of Prince George's County, Maryland, north of John Hanson Highway to National and Dulles and from said airports to those points; and (C) from points in Arlington and Fairfax Counties and Cities of Falls Church and Fairfax, Virginia, to National and Dulles and from said airports to those points. The proposed hourly rate for these operations would be as follows:

	<u>Vehicle Seating Capacity</u>	
	<u>45 or less</u>	<u>46 to 48</u>
National	\$50	\$60
Dulles	70	80

When a vehicle reports and is not used, the rate applicable would be \$35 plus the time in operating between the garage and the reporting point.

The proposed train transfer would be operated one-way, over irregular routes, (A) from points in the District of Columbia to Union Station and from Union Station to points in the District of Columbia; (B) from points in Montgomery County, Maryland, and that portion of Prince George's County, Maryland, north of John Hanson Highway to Union Station and from Union Station to those points; and (C) from points in Arlington and Fairfax

Counties and the Cities of Falls Church and Fairfax, Virginia, to Union Station and from Union Station to those points. The proposed hourly rates for these operations would be \$35 for a vehicle with a seating capacity of 45 or less and \$45 for a vehicle with a 46 to 48 seating capacity.

The group charter lectured service would consist of a tour in the Metropolitan District during which the driver would lecture on various points of interest. The minimum time of such service would be four (4) hours and could be performed incidental to either an airport transfer or train transfer. The proposed hourly rates for these operations would be as follows:

	<u>Vehicle Seating Capacity</u>	
	<u>45 or less</u>	<u>46 to 48</u>
First Four Hours	\$74	\$82
Each Additional Hour	18.50	20.50

The group charter non-lectured service would be similar except the driver would not provide a lecture and the minimum time would be three (3) hours. This service also could include shuttle service between points in the Metropolitan District. The proposed hourly rates for these operations would be as follows:

	<u>Vehicle Seating Capacity</u>	
	<u>45 or less</u>	<u>46 to 48</u>
First Three Hours	\$60	\$68
Each Additional Hour	15	17

Both the group charter lectured service and the group charter non-lectured service would be operated over irregular routes (A) from points in the District of Columbia to points in the Metropolitan District; (B) from points in Montgomery County, Maryland, and that portion of Prince George's County, Maryland, north of the John Hanson Highway to points in the Metropolitan District; and (C) from points in Arlington and Fairfax Counties and the Cities of Falls Church and Fairfax, Virginia, to points in Montgomery and Prince George's Counties, Maryland.

The individual racetrack service would be operated one-way or round-trip from points in the District of Columbia to Bowie Racetrack on those days for which races are scheduled by the Maryland Racing Commission. The proposed per capita rates would be \$3.50 round-trip or \$2.50 one-way.

Under Title II, Article XII, Section 4(d)(3) of the Compact, the Commission must base any decision to grant temporary authority to provide a specific service upon the findings that there is an immediate and urgent need to a point or points within a territory and that there is no carrier service capable of meeting such need. Failing to find either condition, the Commission may not grant temporary authority in its discretion and without hearings or other proceedings.

D. C. Transit has stated in support of its application for temporary authority that there is an immediate and urgent need for the proposed services. D. C. Transit submits that the demand for such services has been greater than the ability of certificated carriers. According to D. C. Transit, the demand for such services will continue to exist and the certificated carriers will continue to be unable to timely provide the necessary service. D. C. Transit also submits that this demand for services will increase as the result of the Metropolitan District becoming a focal point for travellers during the Bicentennial.

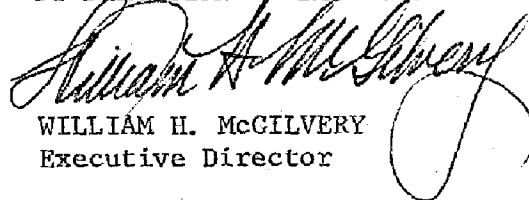
D. C. Transit urges the Commission to approve the temporary authority application for two reasons. First, a grant of the temporary authority would enable D. C. Transit and other carriers to better serve the needs of the people who either live in or visit the Metropolitan District. Second, a grant of the temporary authority would enable D. C. Transit to offer a more complete program of transportation services.

D. C. Transit has set forth as part of its application a statement that there are various carriers in the Metropolitan District which are supplying some or all of the services proposed in this temporary authority application. D. C. Transit directly refers to the Gray Line, Inc., Blue Lines, Inc., and Gold Line.

The Commission does not believe that D. C. Transit has established an immediate and urgent need for the proposed services. The statements in support of the temporary authority application merely describe a potential imbalance between the demand by members of the general public for the proposed services and the current supply of these services by carriers previously certificated by this Commission. The statements do not set forth a basis for finding that there is an imbalance and, more importantly, that there is an immediate and urgent need for an increase in the authorized carriers performing the proposed services. Accordingly, the Commission finds that any need for the proposed services is not immediate and urgent. The Commission need not and does not consider the presence of any certificated carrier service capable of meeting an immediate and urgent need for the proposed services.

THEREFORE, IT IS ORDERED that Application No. 914 of D. C. Transit System, Inc., for temporary authority be, and it is hereby, denied.

BY DIRECTION OF THE COMMISSION:


WILLIAM H. MCGILVERY
Executive Director